

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DR. MUHAMMAD MIRZA and ALLIED
MEDICAL AND DIAGNOSTIC SERVICES,
LLC,

Plaintiffs,

v.

JOHN DOE #1 a/k/a John D., a Yelp.com user,
JOHN DOE #2 a/k/a Elizabeth M., a Yelp.com
user, JOHN DOE #3 a/k/a Robert R. a Yelp.com
user, JOHN DOE #4 a/k/a Zoe C., a Yelp.com
user, JOHN DOE #5 a/k/a Caroline P., a
Yelp.com user, JOHN DOE #6 a/k/a Yelena P.,
a Yelp.com user, JOHN DOE #7 a/k/a Lana W.,
a Yelp.com user, JOHN DOE #8 a/k/a Zin N., a
Yelp.com user, JOHN DOE #9 a/k/a Carly D., a
Yelp.com user,

Defendants.

Case No. 1:20-cv-09877-PGG-KNF

DECLARATION OF
DR. MUHAMMAD MIRZA IN
SUPPORT OF PLAINTIFFS'
MOTION FOR EXPEDITED
DISCOVERY

Muhammad Mirza declares under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am over 18 years of age and am a plaintiff herein.
2. I am the sole member and principal of Allied Medical and Diagnostic Services, LLC ("Allied Medical"). Allied Medical and I are the plaintiffs in the above-captioned proceeding. I submit this declaration in support of Plaintiffs' Motion for Expedited Discovery.
3. I have personal knowledge of all matters stated herein, or I am familiar with the facts and circumstances of the instant action based upon records and files maintained by myself and of Allied Medical.
4. The persons making these posts on Yelp.com are believed to be the defendants in the above-captioned action.

5. Yelp.com is a customer review website on which users can post, using pseudonyms, reviews about businesses. These reviews are visible to the public and are posted on businesses' respective pages.

6. On Yelp.com there are several pages that advertise my business, Allied Medical, and on which Yelp.com users have posted reviews about it. One page entitled "Mirza Aesthetics" is accessible to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=DGAHH0Lccny5Q6xdL25qaA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=DGAHH0Lccny5Q6xdL25qaA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)). Another page, also called "Mirza Aesthetics", is accessible to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=GX-Eoln36Lr9RbgOBjEfQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=GX-Eoln36Lr9RbgOBjEfQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)). There is also other page entitled "Botox Juvederm Doctor" accessible to the public on the Internet at [https://www.yelp.com/biz/botox-juvederm-doctor-new-york?hrid=pDQvIc_0pZ4LGgU_-vt8DA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/botox-juvederm-doctor-new-york?hrid=pDQvIc_0pZ4LGgU_-vt8DA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)). All of the Defendants' reviews identified in the Complaint are located across these three Yelp.com pages. I have read the reviews on Yelp.com authored by Defendants.

7. Upon information and belief, and as discussed in more detail below, none of the Defendants reside in New Jersey based on the locations displayed on their reviews.

8. On or about November 21, 2019, Defendant John Doe #1 a/k/a John D., a Yelp.com user with the username "John D." directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at <https://www.yelp.com/biz/mirza-aesthetics-new-york->

[9?hrid=DGAHH0Lccny5Q6xdL25qaA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=DGAHH0Lccny5Q6xdL25qaA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct))). This post is not true because I operate a legitimate business that does not operate scams and I do not purposely make offensive statements online to get attention or to harm someone else. I have never been diagnosed as autistic or with any mental health condition. This post shows that “John D.” provided a location of Day, Florida.

9. On or about December 26, 2019, Defendant John Doe #2 a/k/a Elizabeth M., a Yelp.com user with the username “Elizabeth M.” directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=GXEoln36Lr9RbgOBjEfQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=GXEoln36Lr9RbgOBjEfQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct))). This post is not true because I operate a legitimate business and am a licensed medical professional. I have many years of experience in cosmetic treatments. I take measures to ensure a sanitary practice. My employees and I always act in a professional manner. I always ensure the correct product is used and the amount of product that is paid for. Further, I make sure a patient can ask any questions or express concerns before, during, and after the procedure. I only use authentic products. This post shows that “Elizabeth M.” provided a location of Lancaster, Pennsylvania.

10. On or about January 22, 2020, Defendant John Doe #3 a/k/a Robert R., a Yelp.com user, with the username “Robert R.” directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=N3xJVECus6h-oBxRHDQmzA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=N3xJVECus6h-oBxRHDQmzA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct))). This post is not true because I operate a legitimate business and operate out of

legitimate commercial space. I operate out of different commercial office spaces for the convenience of my patients. I take all measures to ensure a sanitary practice. I do not use fake Botox and always use authentic products. I follow temperature guidelines from the products' companies and always have a refrigerator on site. This post shows that "Robert R." provided a location of Jessup, Maryland.

11. On or about February 28, 2020, Defendant John Doe #4 a/k/a Zoe C., a Yelp.com user, with the username "Zoe C." directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/botox-juvederm-doctor-new-york?hrid=pDQvIc_0pZ4LGgU_-vt8DA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)\)](https://www.yelp.com/biz/botox-juvederm-doctor-new-york?hrid=pDQvIc_0pZ4LGgU_-vt8DA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)))). This post is not true because I operate a legitimate business and am a licensed medical professional. I do not dilute the products used on patients, and Plaintiffs always inform my clients the price of their services before payment is due. This post shows that "Zoe C." provided a location of New York City, New York.

12. On or about March 20, 2020, Defendant John Doe #5 a/k/a Caroline P., a Yelp.com user, with the username "Caroline P." directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=lZyk8iz4r8aNO6LXTXPiNg&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=lZyk8iz4r8aNO6LXTXPiNg&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)))). This post is not true because I operate a legitimate business and am a licensed medical professional. This post shows that "Caroline P." provided a location of Lake in the Hills, Illinois.

13. On or about August 6, 2020, Defendant John Doe #6 a/k/a Yelena P., a Yelp.com user, with the username “Yelena P.” directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=SJyIAEe7D5nwtjsC9PpQtg&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=SJyIAEe7D5nwtjsC9PpQtg&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct))). This post is not true because I operate a legitimate business and am a licensed medical professional. I only use authentic products on my patients and do not inject just “saline” and “air.” I don’t inject my patients with Windex. This post shows that “Yelena P.” provided a location of New York City, New York.

14. On or about June 23, 2020, Defendant John Doe #7 a/k/a Lana W., a Yelp.com user, with the username “Lana W.” directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=UgoMOrR0K5hGGux40RCjBQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=UgoMOrR0K5hGGux40RCjBQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct))). This post is not true because I operate a legitimate business and am a licensed medical professional. I ensure that the practice engages in necessary procedures to ensure a sanitary practice. I do not use counterfeit products. I only use authentic products and I don’t dilute products purchased by the client. I do not intimate my patients to buy more products. I operate out of different commercial office spaces for the convenience of my patients. I have a primary office location that I can be reached at, along with an office phone number and email address. This post shows that “Lana W.” provided a location of Bethesda, Maryland.

15. On or about July 23, 2020, Defendant John Doe #8 a/k/a Zin N., a Yelp.com user, with the username “Zin N.” directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=q5bxT1zhRhKEZhTVIBsJJQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-9?hrid=q5bxT1zhRhKEZhTVIBsJJQ&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)))). This post is not true because I operate a legitimate business and am a licensed medical professional. I have never engaged in the practice of theft or embezzlement. This post shows that “Zin N.” provided a location of Queens, New York.

16. On or about August 20, 2020, Defendant John Doe #9 a/k/a Carly D., a Yelp.com user, with the username “Carly D.” directed the authoring of a harassing and defamatory user review of Plaintiffs on Yelp.com (accessible as to the public on the Internet at [https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=R-5xV81g48755lZxaODRMA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=\(direct\)\)](https://www.yelp.com/biz/mirza-aesthetics-new-york-6?hrid=R-5xV81g48755lZxaODRMA&utm_campaign=www_review_share_popup&utm_medium=copy_link&utm_source=(direct)))). This post is not true because I operate a legitimate business and am a licensed medical professional. I inject each of my patients with the full amount of product that they paid for. I do not price gouge. I do not water down the fillers I inject and do not engage in fraudulent practices. This post shows that “Carly D.” provided a location of San Francisco, California.

17. I have read a copy of the Complaint herein prior to its filing and know the contents thereof; the same is true to my own knowledge, except to statements therein stated to be alleged on information and belief, and as to those matters, I believe to be true.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on September 13, 2021 at Cedar Grove, New Jersey.


Muhammad Mirza (Sep 13, 2021 13:21 EDT)
Muhammad Mirza